

Amendment Dated April 4, 2007
Serial No. 10/608,601

REMARKS

Reconsideration of the rejection of the claims in this application is respectfully requested. By this amendment claims 1, 8, and 12 have been amended. Currently, claims 1-18 are pending in this application.

Allowable Subject Matter

The Examiner indicated that claim 8 contained allowable subject matter and would be allowable if amended into independent form including all of the limitations of the claims from which it depended. Applicants have amended claim 8 to include the limitations of claims 1 and 7, and respectfully requests that this claim be allowed.

Rejection of claims under 35 USC 101

Claims 12-18 were rejected under 35 USC 101 as directed to non-statutory subject matter. Specifically, the Examiner has taken the position that the claim was not statutory because applicants describe that the programmable logic may be fixed in a computer data signal (See Specification at page 12, lines 28-30). Applicant has amended claim 12 to overcome this rejection and respectfully requests that the rejection be withdrawn.

Rejection of claims under 35 USC 103

Claims 1-7 and 9-11 were rejected under USC 103 as unpatentable over Stanaway (U.S. Patent Application Publication US 2002/0129271) in view of Ahonen (U.S. Patent No. 6,976,177). This rejection is respectfully traversed in view of the amendments to the claims and the following arguments.

The rejected claims relate to a method for enabling a wireless network device to establish a VPN tunnel over a wireless network without first requiring the wireless network device to gain admittance to the wireless network. Instead, the wireless user passes identifying information to a VPN host network, and the host VPN network evaluates the identifying information to obtain a VPN host network access result. Based on the VPN host network access result, the wireless user is then granted wireless access on the wireless network. Thus, the wireless user may simultaneously obtain both wireless network access and VPN host network access without undergoing a separate authentication process with the wireless network.

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Stanaway teaches a system in which the user is required to first go through an authentication process in connection with the ISP (network provider) and then go through a second authentication process with the host network. For example, in the first six lines of paragraph 18, Stanaway teaches how the user authenticates with the ISP, and then in the last seven lines of paragraph 18 Stanaway teaches how the user authenticates with the corporate network that will host the VPN session. Thus, Stanaway is the landline based equivalent of the art discussed in the background of the invention section of this application, (Specification at page 2, line 6 to page 3, line 7), in which separate authentication processes are used in connection with both the access network and the host VPN network.

The Examiner has taken the position that Stanaway teaches the invention as claimed, citing paragraph 19. This paragraph does not teach or suggest granting access to a wireless network based on an evaluation of identifying information by the VPN host network.

Claim 1 has been amended to highlight the differences between what is being claimed and the way in which Stanaway operates. Specifically, claim 1 has been amended to recite a method of establishing a VPN tunnel through a wireless network, including passing identifying information associated with a wireless user to a VPN host network, evaluating the identifying information by the VPN host network to obtain a VPN host network access result, and granting wireless access to the wireless user on the wireless network based on the VPN host network access result. Claim 1 also recites that the result of the process is to enable both wireless network access and VPN host network access to be obtained without requiring evaluation of the identifying information by the wireless network. Stanaway doesn't teach or suggest a method of this nature. Ahonen fails to make up the deficiencies of Stanaway. Accordingly, applicants respectfully request that the rejection over Stanaway and Ahonen be withdrawn.

Conclusion

Applicant respectfully submits that the claims pending in this application are in condition for allowance and respectfully requests an action to that effect. If the Examiner believes a telephone interview would further prosecution of this application, the Examiner is respectfully requested to contact the undersigned at the number indicated below.

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If any fees are due in connection with this filing, the Commissioner is hereby authorized to charge payment of the fees associated with this communication or credit any overpayment to Deposit Account No. 502246 (Ref: NN-15918).

Respectfully Submitted



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